

United States District Court
Southern District of Texas
AO 91 (Rev. 10/20) Criminal Complaint

MAY 08 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America)
v.)
Jennifer Munguia/US/1982)
Silvestre GARCIA Zarate/Mexico/1990)

Case No. 7:23-mj-0904

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 05/08/2023 in the county of Brooks in the Southern District of Texas, the defendant violated 8 U. S. C. § 1324(a)(1)(A)(ii) and (v)(I), an offense described as follows:

Knowingly and in reckless disregard of the fact that aliens who had entered the United States in violation of law, did enter into a conspiracy with others unknown to transport aliens, for the purpose of commercial advantage and private financial gain, in furtherance of such violation of law within the United States, this is, from Alamo, Texas to another location in Encino, Texas.

This criminal complaint is based on these facts:

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on May 8, 2023 See Attachment "A"

☒ Continued on the attached sheet.

/ s / Juan Cantu Jr.

Complainant's signature

Juan Cantu Jr./ USBP Agent Intelligence

Printed name and title

Sworn to and executed by reliable electronic means.

Date: 05/08/2023 - 3:30 p.m.

City and state: McAllen, Texas



Judge's signature

Juan F. Alanis, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Juan Cantu Jr., am a US Border Patrol Agent Intelligence and have knowledge of the following facts:

1. On May 8, 2023, United States Border Patrol Agents along with Texas Department of Public Safety encountered a 2 on 5 alien smuggling case south of Falfurrias, Texas.
2. Agents conducted surveillance at previously identified stash house located at 407 Delia Avenue in Alamo, Texas. At approximately 3:45 a.m., Agents observe approximately six subjects exit the residence and enter the rear passenger compartment of a black Dodge Ram parked on the driveway.
3. The vehicle was observed departing the location and proceed northbound on Highway 281. Approximately half a mile south of the Falfurrias, Texas Checkpoint, Agents observed the vehicle abruptly pull over to the shoulder and drop off approximately six subjects. The subjects were observed running into the brush near the highway.
4. Border Patrol Agents and Texas Department of Public Safety Troopers responded to the area and apprehended six subjects near the location where the Black Dodge Ram dropped off the subjects moments earlier. The driver of the Dodge Ram was stopped by TX DPS and identified as Jennifer MUNGUIA. She was taken into custody and transported to the Falfurrias, Texas USBP Checkpoint. The suspected brush guide identified as Silvestre GARCIA-Zarate was taken into custody.
5. At the Falfurrias, TX USBP Checkpoint, MUNGUIA provided a post Miranda statement regarding the morning's events. MUNGUIA self-admitted to being the driver of the vehicle and to have picked up the undocumented nationals at the stash house located 407 Delia Avenue in Alamo, Texas. She stated she was to be paid \$500 USD for every smuggled subject she transported. When presented a photo line-up, she positively identified GARCIA-Zarate as the brush guide associated to today's smuggling event.
6. At the Falfurrias, TX USBP Checkpoint, undocumented Ecuadorian national identified as Jorge ARTEAGA-Munoz provided a post Miranda statement. Subject stated he paid a total of \$13,000 USD to be smuggled to New York. When presented a photo line-up, subject identified Jennifer MUNGUIA as the driver of the Dodge Ram. When presented an additional photo line-up, subject identified Silvestre GARCIA-Zarate as the brush guide.

7. At the Falfurrias, TX USBP Checkpoint, undocumented Guatemalan national identified as Eraldo VASQUEZ provided a post Miranda Statement. Subject stated he was to pay approximately \$8,000 USD to be smuggled to South Carolina. When presented a photo line-up, subject identified Silvestre GARCIA-Zarate as the brush guide and Jennifer MUNGUIA as the driver of the Dodge Ram.
8. GARCIA-Zarate did not provide a statement.